

## REMARKS

Claims 1-17 were pending prior to the foregoing amendment. As a result of this amendment claims a number of the claims have been amended to even further clarify the claimed subject matter, claims 3, 9 and 15 are cancelled without prejudice or disclaimer, and claims 18-22 are newly added. No new matter has been added.

The Examiner has provisionally rejected claims 1-17 under 35 U.S.C. 101 as claiming the same invention as that of claims 1-17 of copending Application No. 10/740,036.

This rejection has been rendered moot. For example, independent claim 1 includes a recitation of apparatus that cooperates "with the OS scheduler for scheduling the LEs of the DCHL to execute applications in accordance with inherited application priorities". At least the aspect of the "inherited application priorities" is not found in the independent claims of copending Application No. 10/740,036 (an amendment for which is being filed on even date with this amendment).

The Examiner has repeated the rejection of claims 1-17 under 35 U.S.C. 103(a) as being unpatentable over Hoskins, U.S. Patent No. 6,789,132, in view of Kaihlaniemi, U.S. Patent No. 6,370,591. The rejection is respectfully disagreed with, and is traversed below.

The Examiner states that Hoskins teaches a processor arranged to run a Dynamic Configurable Hardware Logic (DCHL) layer comprised of a plurality of Logic Elements (unit 110 and all of unit 202 except unit 222), interposed between a host computer (Fig 2, unit 200) and the DCHL layer, and a TiEred Multi-media Acceleration Scheduler (TEMAS) that cooperates with the host computer for scheduling and configuring the LEs of the DCHL to execute applications (Column 5, lines 35-39; Column 6, lines 1-10, lines 41-47, Col. 7, lines 1-19).

It is respectfully submitted that Hoskins is devoid of a teaching of dynamic configurable hardware logic. The Figure 2 of Hoskins simply shows a disc drive 100 that includes a disc drive control module 202 containing "a number of functional modules which control the operation of the disc drive 100".

In contradistinction, the exemplary embodiments of this invention do employ the use of dynamic configurable hardware logic.

In order to further clarify this aspect, each of the independent claims has been amended in

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a somewhat similar fashion. For example, claim 1 now recites in part:

where the TEMAS operates in response to configuration requests to configure and reconfigure at least some of the plurality of LEs using the inherited application priorities such that at one time a particular LE is scheduled for operation with a first algorithm logic, and at another time the same particular LE is scheduled for operation with a second, different algorithm logic.

Support for this merely clarifying amendment can be found in the specification at least at page 6, lines 18-20, and in Figure 5 (as well as at least Figures 2, 6, 7, 8 and 9).

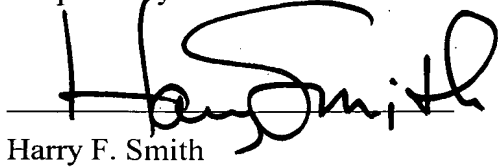
There is no similar subject matter disclosed in Hoskins, whether read alone or in combination with the commonly owned Kaihlaniemi US patent.

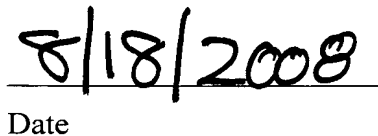
This being the case, then there is clearly also no similar teaching, disclosure or suggestion of a scheduler that operates with logic elements as claimed, and clearly no teaching, disclosure or suggestion of a two tiered scheduler that operates with inherited application priorities as claimed.

All of the claims that are pending are deemed to be clearly allowable over the proposed combination of Hoskins and Kaihlaniemi, including the newly added claims 18-22.

An early notification of the allowance of the now pending claims, as merely clarified by amendment above, is earnestly solicited.

Respectfully submitted:

  
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